

PRELIMINARY MINUTES OF REGULAR MEETING  
MAY 13, 2013 PLANNING AND ZONING COMMISSION

Note: This draft, prepared to comply with Section 1-225 of the General Connecticut Statutes, is an approximate record of matters discussed and actions taken by the Commission at the meeting, but has not yet been reviewed by the commission for accuracy or completeness and is therefore subject to change or correction. APPROVED FINAL MINUTES will be filed in due course to replace this draft.

Chairman, Robert Maquat, called the meeting to order at 7:25pm.  
Regular Members present: Robert Maquat, Steve Carlson, Milan Spisek, Wallace Williams and Robert DeVellis.  
Alternate Members present: Ray Martin and Ross Ogden  
Town Officials present: John Hayes, Land Use Director  
For the record: Raymond Martin was appointed to vote for Robert DeVellis until he arrived.

ADMINISTRATIVE MATTERS:

1. Correspondence: The chairman stated that a special permit application had been received for 44 Redding Road. Motion was made by Robert Maquat, seconded by Steve Carlson, to add to the agenda the receipt of special permit application SP-13-02, special permit for the installation of a generator set two feet above the 100 year flood elevation and the installation of a 1000 gallon propane tank in the ground within the 100 year floodplain. Vote was 5-0, vote unanimous, motion carried. The Land Use Director, John Hayes, stated that the application was substantially complete and ready to schedule for public hearing. The Commission determined that the public hearing should be scheduled for June 24, 2013.
2. Receipt of proposed Resubdivision Application for Lot 9 of Adirondack Estates, Map Prepared For River Ridge Estates, LLC. The Land Use Director, John Hayes, stated that the Commission had previously received the document providing for a maintenance agreement and a 50 ft. wide access Easement and now the map reflecting that 50 ft. wide access Easement had now been submitted and the application was substantially complete to schedule for public hearing. The Commission determined that the public hearing should be scheduled for June 24, 2013.

Commissioner Robert DeVellis arrived at approximately 7:30pm.

PUBLIC HEARINGS were opened at approximately 7:32PM by Chairman Robert Maquat. The chairman opened the first public hearing:

1. Amend Section 7.12 of the Easton Zoning Regulations, SPECIAL EXCEPTION FOR PRE-EXISTING FARM AND FOREST ACTIVITIES, subsection 7.12.2 concerning processing and sale of forest and tree products. The amendment would authorize the residency requirement of this section to be met by a corporation, partnership, LLC or other entity and allow sale of colored mulch, chips or similar materials provided coloring agents are not produced on the site. Attorney Raymond Rizio read and discussed the text amendment to Section 7.12.2 of the Easton Zoning Regulations and submitted and discussed the following two handouts:
  1. Document entitled Provisions of the Easton Town Plan of Conservation and Development that support the proposed text amendment to Section 7.12.2 of the Easton Zoning Regulations.
  2. Excerpt from the State Statutes, Section 22a-1., **Policy of the state.**

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PUBLIC HEARING, 1. Amend Section 7.12 of the Easton Zoning Regulations (continued)

The Chairman noted the following correspondences for the record:

1. Memo from Chief of Police, James Candee dated 4/24/13 indicating no comment.
2. Letter dated April 23, 2013 to Robert Maquat, Chair, Planning and Zoning Commission, from Brian Bidolli, Executive Director, Greater Bridgeport Regional Council stating that "The Council does not anticipate a regional impact from the proposed text amendment".
3. Memo dated May 7, 2013 to Robert from Dr. Floyd Lapp, FAICP, Executive Director, South Western Regional Planning Agency indicating it is "not likely to have any adverse inter municipal impacts".

Mr. Hayes stated there was a communication from the Town of Newtown indicating there would be little or no direct impact on Newtown.

The Chairman opened the meeting up to the public and the following people spoke:

1. Jim Coyne of Coyne, Von Kuhn, Brady & Fries, LLC spoke on behalf of his client Paul Falco and stated that his client had gone through the special permit process. The Chairman requested that only the text amendment be addressed at the public hearing. Attorney Coyne discussed his concerns with the language regarding residency and not requiring a major interest to be owned and allowing a corporate entity.
2. Paul Falco of 75 Barrows Road spoke regarding the requirement for residency and stated he was required to merge his properties and he went through the special permit process under 7.12 of the Easton Zoning Regulations.
3. Bill Kupinse (former Selectman of Easton) of 5 Stones Throw spoke regarding the text amendment and stated that the language regarding the entity needed to be tightened up and require a major interest. Mr. Kupinse voiced his concern regarding mulch dying and stated that the language did not preclude someone from dying mulch on the property. Mr. Kupinse also pointed out that the language in the existing regulation did not allow for chemically processed mulch.

Attorney Rizio asked that the public hearing be kept open to allow time for the submission of alternative language.

The Chairman stated that the Commission would be rescheduling its May 20, 2013 meeting to a special meeting on May 29, 2013 and that the next meeting after that was June 10, 2013. The Commission would determine what date the public hearing would be recessed to once the next public hearing was finished.

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PUBLIC HEARING - The Chairman opened the second public hearing.

2. Amend Article 3, Section 3.1 Districts, to create a new District and a new Section 3.1.3, TOWN GREEN CENTER; Amend Article 4 of the Regulations to add a new Section 4.4, USES PERMITTED BY SPECIAL PERMIT IN THE TOWN GREEN CENTER (TGC) which lists the specific uses permitted within the TGC District subject to special permit; Amend Article 5 of the Regulations to define permissible lot area, lot shape, road frontage and signs within the TGC District; Amend Article 7 of the Regulations to specify the unique conditions governing the issuance of a special permit for a new use in the TGC District. The amendment further specifies that the TGC District is to be located along the easterly side of Sport Hill Road to a depth of approximately 300 feet, from a point 460 feet north of Old Oak Road and extending northwesterly and parallel to Sport Hill Road a distance of 850 feet, thence extending to a depth of approximately 350 feet along the opposite and westerly side of Sport Hill Road to its intersection with Banks Road.

Attorney Joel Green stated that the proposed amendment for the Town Green Center had been amended and submitted the new text for the amendment. Attorney Green stated that the boundaries of the proposed Town Green Center were reduced to include those properties located at 438, 439, 440, 444, 448 and 450 Sport Hill Road; Silverman's property had been excluded from the proposed Town Green Center. Attorney Green referred to three exhibits which he submitted for the record:

1. Exhibit 1 – Assessors Map showing original proposed Town Green Center
2. Exhibit 2- Assessors Map showing amended proposed Town Green Center
3. Proposed Wilfred Tressler Architectural Design

In addition to the Exhibits submitted above the Chairman noted the following correspondence:

1. Letter dated April 23, 2013 from Brian Bidolli, Exec. Dir., Greater Bridgeport Regional Council to Mr. Robert Maquat, Chair, Planning and Zoning Commission.
2. Memo from Chief of Police, James Candee dated 4/24/13 noting "traffic being heavy at times with just the EVS" and recommending "consideration must be given to emergency vehicle traffic from FD and EEMS."
3. Letter dated March 22, 2013 to Robert Maquat Chairman, Planning and Zoning Commission from Attorney Joel Z. Green and the revised text amendment for the proposed Town Green Center.

The Chairman opened the public hearing to the public.

The following people spoke (see attached list).

Public Hearing for Proposed Amendments to the Easton Zoning Regulations  
To Create A Town Green Center

<u>Name</u>	<u>Address</u>
James Wright	462 Judd Road
Jack Johnston	375 Center Road
Bill Kupinse	5 Stones Throw
Tom Dollard	25 Old Oak Road
Steve Waugh	10 Crossbow Lane
Jeanne Fones	64 Staples Road (signed to speak but did not speak)
Lucy Crossman	536 Morehouse Road (did not speak, issues addressed)
Grant Monsarrat	370 North Park Avenue
Bob Lessler	55 Gate Ridge Road
Dan Lent	71 Banks Road
Prince Falkenhagen	336 Silver Hill Road
Dori Wallen	8 Cedar Hill Lane
Martha Alward	19 Marsh Road
Andrew Kachele	85 Kachele Street
Val Buckley	85 Delaware Road
Gowan Dacey	257 Redding Road
Joan Winter	16 Old Orchard Road
Bill Sylvia	36 Silver Hill Road
Frank Morse	60 Flat Rock Drive
Chris Miles	210 Silver Hill Road
F. Brainerd McGuire	205 Judd Road
John Harris	13 Ridgeway
Davis Owen	18 Old Oak Road
David Gorbach	10 Tuckahoe Road
Charlie Watson	27 Sturbridge Road
Paul Altieri	26 Bohus Lane
Lisa Hall	71 Vista Drive
Maria Watson	27 Sturbridge road
Marsel Huribal	EVS/Canterbury Lane
Tim Brady	53 Center Road
Jon August	15 Soundview Drive
Cyndi Blum	23 Heritage Drive
Bob Schrage	426 Judd Road (signed to speak but did not speak, left)
George Shawah	72 Marsh Road
Harold Rosnick	25 Riverside Lane
Jeff Becker	5 Cedar Hill road
Dave Beam	North Park Avenue
Robert (Rocky) Sullivan	9 Jessee Lee Drive
Irv Silverman	Silverman's Farm

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PUBLIC HEARING:

2. Amend Article 3, Section 3.1 Districts, to create a new District (continued)

The public hearing was recessed to Wednesday, May 29, 2013 at 7:30pm at the Helen Keller Middle School Cafetorium.

At approximately 11:15pm motion was made by Milan Spisek, seconded by Steve Carlson, to adjourn the meeting. The vote to adjourn was unanimous, 5 in favor, none opposed

  
Margaret Anania, Recording Secretary

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2013 MAY 30 A 8:07

  
EASTON TOWN CLERK ASST